


<p>California Department of Justice DIVISION OF LAW ENFORCEMENT George B. Anderson, Director</p> 	<p>INFORMATION BULLETIN</p>	
<p><i>Subject:</i> New Electronic Reporting Requirement for Specified Firearms Transactions (e.g., Buys, Consignments, Pawns, etc.) Firearms Dealer Acquisition System (FDAS)</p>	<p><i>No:</i> 2010-BOF-02</p>	<p><i>Bureau of Firearms</i></p>
<p><i>Date:</i> 5/20/2010</p>		

TO: ALL CALIFORNIA FIREARMS DEALERS

The purpose of this Information Bulletin is to advise secondhand dealers and pawnbrokers of a change in the reporting procedures related to the acquisition, consignment, and/or pawn of secondhand firearms. Senate Bill 449 (Padilla) amended CA Business and Professions Code¹ Section 21628.1 and added Section 21628.2. Effective July 1, 2010, Section 21628.2 requires secondhand dealers and pawnbrokers to electronically report firearms purchased, taken in trade, taken in pawn, accepted for sale on consignment, or accepted for auctioning to the California Department of Justice (DOJ) Bureau of Firearms (BOF).

This new electronic reporting process only applies to firearms and rescinds and replaces the existing process of manually completing and mailing the "Pawnbroker/Secondhand Dealer Report" (JUS 123) to local law enforcement agencies (LEAs). The JUS 123 will continue to be used to report other types of serialized property (excluding firearms) to the LEA with jurisdiction over the dealer's business location. As a result of this new electronic reporting process, the LEA's ability to enter the firearms transaction information from the JUS 123 into the DOJ Automated Firearms System (AFS) database will be limited to reports received prior to July 1, 2010.

To facilitate the new electronic reporting requirement of secondhand/pawned firearms, the DOJ/BOF is introducing a new secure online reporting system called the Firearms Dealer Acquisition System (FDAS). Effective July 1, 2010, secondhand dealers and pawnbrokers will be required to use FDAS to electronically report to DOJ/BOF any firearms purchased, taken in trade, taken in pawn, accepted for sale on consignment, or accepted for auctioning. The new electronic Dealer Report of Firearms Acquisition submitted through FDAS will be checked programmatically in AFS against stolen firearm entries. If the firearm results in a stolen "hit," the BOF will immediately notify the LEA with jurisdiction over the dealer's business location. (Section 21628.2 (c)) In complying with Section 21636, dealers are advised that the 30-day retention period commences on the date the Dealer Report of Firearms Acquisition was electronically submitted to BOF via FDAS.

In addition, BOF will electronically transmit copies of the FDAS reports received from secondhand dealers and pawnbrokers to the LEA with jurisdiction over the dealer's business location within one working day of receipt. (Section 21628.2 (d)) The BOF will also begin inspecting secondhand

¹ All further statutory references are to the California Business and Professions Code, unless otherwise indicated.

dealers and pawnbrokers, as part of the overall firearms dealer inspection program. (Section 21628.2 (b))

To enroll and use FDAS, secondhand dealers and pawnbrokers must:

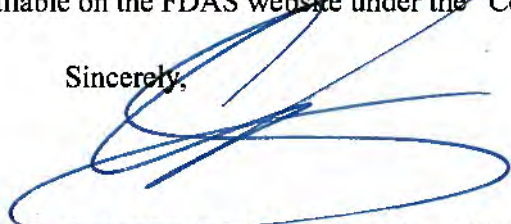
- 1) Be a licensed California firearms dealer pursuant to California Penal Code Section 12071.
- 2) Possess a valid secondhand dealer license issued by their local Chief of Police or Sheriff in accordance with Section 21641. Pawnbrokers must be licensed pursuant to California Financial Code Section 21300. Secondhand dealers and pawnbrokers whose license has expired, been canceled, or revoked will not be able to access FDAS.
- 3) Submit to the BOF a copy of your valid secondhand dealer or pawnbroker license issued by the LEA with jurisdiction over your dealership.
- 4) Complete the two-step FDAS enrollment process. Step 1 is accomplished by completing and submitting the enclosed FDAS enrollment application (BOF 937). Accordingly, the BOF will process the FDAS enrollment application and forward an enrollment confirmation via email to the email address provided on the application. The email confirmation will include the secure FDAS website URL along with instructions for completing Step 2 of the enrollment process.

For information on how to obtain a secondhand dealer or pawnbroker license, please contact your LEA or visit the Attorney General's website at <http://ag.ca.gov/fingerprints/faq.php>.

FDAS is intended to be user friendly and require little end-user training. To further assist dealers in complying with this new electronic reporting requirement, we have enclosed several frequently asked questions (FAQs). The FAQs should be helpful in responding to questions regarding dealer compliance, the new electronic reporting, and the FDAS enrollment processes.

General questions regarding information in this bulletin can be directed to the BOF Training Information and Compliance Section at (916) 263-4887. Questions related to the FDAS enrollment process can be directed to the BOF Licensing and Permits Unit at (916) 263-8100. In the near future, additional contact information will be available on the FDAS website under the "Contact Us" link.

Sincerely,



STEPHEN LINDLEY, Acting Chief
Bureau of Firearms

For EDMUND G. BROWN JR.
Attorney General

Enclosures